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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/714,816

11/17/2003

Kunihiro Tashiro

1117.68737

2176

7590

10/04/2005

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EXAMINER

PARKER, KENNETH

ART UNIT

PAPER NUMBER

2871

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

### Office Action Summary

Application No.

10/714.816

**Applicant(s)**

TASHIRO ET AL.

Examiner

Kenneth A. Parker

**Art Unit**

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-30 are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

- I. Claims 1-10, drawn to an LCD with retarders that combine to give a negative quarter waveplate function, classified in class 349, subclass 120.
- II. Claims 11-16, drawn to an LCD with reflector projections of certain angles, classified in class 349, subclass 113.
- III. Claims 17-21, drawn to an LCD with particular polarizer to retarder directions, classified in class 349, subclass 102.
- IV. Claim 22-25, drawn to an LCD with particular orientations, classified in class 349, subclass 129.
- V. Claim 26-30, drawn to an LCD with a particular retarder birefringence relationship to the reflector, classified in class 349, subclass 117.

Inventions I-V are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention has separate utility such as the retarders with the negative birefringence (group I) can be used with any reflective LCD, ie., with a flat reflector (not group II), any orientation to the reflector (not group V), and with parallel aligned liquid crystal (not group IV), with parallel orientation to the retarder (not group III). The LCD with a particular reflector (group II) can be used with any orientation between the retarder and the reflector (not group V), and with parallel aligned liquid crystal (not group IV), with parallel orientation to the retarder (not group

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III), and with a positive retarder (not group I). The particular orientation between the polarizer and retarder (group III) can be done with SSFLCL (not group IV), with a flat reflector (not group II), any orientation to the reflector (not group V), and with parallel aligned liquid crystal (not group IV), with a positive retarder (not group I). The liquid crystal orientation (group IV) can be done with a flat reflector (not group II), any orientation to the reflector (not group V), and with parallel aligned retarder and polarizer (not group III), with a positive retarder (not group I). The orientation between the retarder and reflector (group V) can be done with with a flat reflector (not group II), and with parallel aligned retarder and polarizer (not group III), with a positive retarder (not group I), and with parallel aligned liquid crystal (not group IV).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.


Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth A. Parker whose telephone number is 571-272-2298. The examiner can normally be reached on M-F 10:30-6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kenneth A Parker  
Primary Examiner  
Art Unit 2871